

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARIO SAFFORD,)	
)	Case No. 08 C 621
Plaintiff,)	
)	Judge Kennelly
vs.)	
)	Magistrate Judge Mason
CITY OF CHICAGO, Chicago Police Officers)	
ELIEL ROA, Star 8618, JERRY DOSKOCZ,)	Jury Trial Demanded
Star 6573, JOSEPH GUNNING, Star 10547,)	
KENNETH FLAHERTY, Star 13584, JESSE)	
ARROYO, Star 18348, PHILLIP ORLANDO,)	
Star 2208, LUIS SALDANA, Star 10316,)	
and JAIRO VALERIANO, Star 10649.)	
)	
Defendants.)	

**DEFENDANT OFFICERS' JOINT UNOPPOSED MOTION
FOR LEAVE TO FILE THEIR ANSWER, *INSTANTER***

Defendants, Eliel Roa, Jerry Daskocz, Joseph Gunning, Kenneth Flaherty, Jesse Arroyo, Phillip Orlando, Luis Saldana, and Jairo Valeriano ("Defendant Officers"), by and through one of their attorneys, Matthew R. Hader, Assistant Corporation Counsel for the City of Chicago, hereby move this honorable Court to grant leave to file their Answer, *instanter*. In support of this motion, Defendants state as follows:

1. Plaintiff filed his First Amended Complaint on May 29, 2008.
2. Plaintiff's First Amended Complaint for the first time named officers Gunning, Fleherty, Arroyo, Orlando, Saldana, and Valeriano.
3. Defendants Valeriano, Saldana, Gunning and Flaherty were served with summons and complaint on June 9, 2008. Their answer was due on June 30, 2008.
4. Defendant Arroyo was served with summons and complaint on June 16, 2008. His answer is due on July 7, 2008.

5. Defendant Orlando was served with summons and complaint on June 18, 2008.

His answer is due on July 9, 2008.

6. This request to file an Answer, *instante*, is not intended to prejudice the plaintiff, nor is it being done to unduly delay the proceedings.

7. A copy of Defendants' Answer has been attached to this motion as an exhibit.

8. On this day, July 1, 2008, Defense Counsel spoke with one of the attorneys for the plaintiff, Daniel Kiss, who stated that plaintiff has no objection to this motion.

WHEREFORE, Defendant Officers respectfully move this honorable court to grant leave to file their Answer, *instante*, on this day.

Respectfully submitted,

s/ Matthew R. Hader
MATTHEW R. HADER
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Attorney for Defendants

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CERTIFICATE OF SERVICE

I, Matthew R. Hader, hereby certify that I have caused a true and correct copy of the above and foregoing **NOTICE OF MOTION** and **DEFENDANT OFFICERS' JOINT UNOPPOSED MOTION FOR LEAVE TO FILE THEIR ANSWER, *INSTANTER***, to be sent via e-filing to the person named in the foregoing Notice, a "Filing User" pursuant to Case Management/Electronic Case Files, on July 1, 2008, in accordance with the rules governing the electronic filing of documents.

s/ Matthew R. Hader
MATTHEW R. HADER
Assistant Corporation Counsel

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